

**MINUTES OF THE STANDING COMMITTEE  
ON COMMERCE**

**Tuesday, November 8, 2005**

**10:30 a.m.**

**Room 519, House Office Building**

**Chair Huizenga** called the Standing Committee on Commerce to order.

**MEMBERS PRESENT:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**MEMBERS ABSENT/EXCUSED:** Reps. Murphy, McConico (2/19)

The **Chair** announced that **Senate Bill 34** would be taken up later today, in addition to the items listed on the agenda. He reminded the members that testimony was given on the bill at the previous meeting, held on November 1, 2005.

**Representative Meisner**, supported by **Representative Schuitmaker**, moved to adopt the minutes from the meeting held on November 1, 2005. Hearing no objection, the **motion prevailed** with unanimous consent.

The **Chair** laid **House Bills 5315 - 5323** before the committee.

HB 5315	Marleau	Businesses; business corporations; obligations of foreign corporations in mergers or share exchanges; revise.
HB 5316	Wenke	Businesses; business corporations; provision providing for dissolution by court judgment; make technical amendments.
HB 5317	Huizenga	Businesses; business corporations; certain amendments to articles of incorporation; require to be initiated by the board of directors.
HB 5318	Mortimer	Businesses; business corporations; creation of subcommittees of board committees; authorize.
HB 5319	Schuitmaker	Businesses; business corporations; voting by shareholders; clarify that abstaining from voting is not considered a vote.
HB 5320	Elsenheimer	Businesses; business corporations; voting as a class or series; clarify that abstaining from voting is not considered a vote.
HB 5321	Emmons	Businesses; business corporations; delivery of notices and other communications to shareholders who share a common address; allow delivery of single copy to common address.

HB 5322	David Law	Businesses; business corporations; effective date of documents filed with administrator; revise.
HB 5323	Tobocman	Businesses; business corporations; definition of willfully unfair and oppressive conduct by corporations; revise and clarify guarantee powers.

**Cyril Moscow**, representing the State Bar of Michigan, explained the intent and testified in **support** of the bills.

**Tom Martin**, representing the Michigan Department of Labor and Economic Growth, testified in **opposition** to **House Bill 5322**. He also submitted a testimony card indicating a **neutral** position on **House Bills 5315 – 5321** and **House Bill 5323**.

**Representative Schuitmaker**, supported by **Representative Meisner**, moved to report **House Bill 5315** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Dillon, Bennett, Accavitti (16/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Marleau**, supported by **Representative Jones**, moved to report **House Bill 5316** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative David Law**, supported by **Representative Meisner**, moved to report **House Bill 5317** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Meisner**, supported by **Representative Wenke**, moved to report **House Bill 5318** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative David Law**, supported by **Representative Green**, moved to report **House Bill 5319** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Palsrok**, supported by **Representative Accavitti**, moved to report **House Bill 5320** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Pavlov**, supported by **Representative Tobocman**, moved to report **House Bill 5321** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Palsrok**, supported by **Representative Meisner**, moved to report **House Bill 5322** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Dillon, Bennett, Accavitti (16/19)

**NAYS:** None (0/19)

**PASS:** Rep. Tobocman (1/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Palsrok**, supported by **Representative Schuitmaker**, moved to report **House Bill 5323** with recommendation.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

The **Chair** laid **Senate Bill 34** before the committee.

SB 34	Jacobs	Economic development; commercial redevelopment; corridor improvement authority act; create.
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**Chair Huizenga** explained the intent of the bill.

**Representative Meisner** explained the intent of a proposed amendment.

**Jared Rodriguez**, representing the Grand Rapids Chamber of Commerce and Neighborhood Business Specialists Program, submitted a testimony card in **support** of the bill, but did not wish to speak.

**Representative Marleau**, supported by **Representative Tobocman**, moved to adopt the following amendment to **Senate Bill 34**:

1. Amend page 3, line 26, after “125.581” by inserting a comma and “or the township zoning act, 1943 PA 184, MCL 125.271 to 125.310”.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Accavitti**, supported by **Representative Jones**, moved to report **Senate Bill 34**, with recommendation, as **Substitute (H-1)**.

**FAVORABLE ROLL CALL:**

**YEAS:** Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti (17/19)

**NAYS:** None (0/19)

**PASS:** None (0/19)

A sufficient number of members voting in the affirmative, the **motion prevailed**.

**Representative Meisner**, supported by **Representative David Law**, moved to excuse absent members. Hearing no objection, **Chair Huizenga** excused **Representatives Murphy** and **McConico**.

There being no further business to come before the committee, the **Chair** declared the meeting adjourned, the time being **11:21 a.m.**

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**Representative Bill Huizenga, Chair**

Jean Hamelin, Committee Clerk  
(517) 373-5632